



News Release

PO Box 360, Trenton, N.J. 08625-0360

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Commissioner

For Release:
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**Department of Health and Senior Services Proposes to Amend
N.J.A.C. 8:83-2.1 and 6.9, the PAAD Eligibility Manual, and
N.J.A.C. 8:83D-2.1, 5.6, 6.9, and 6.11, the Senior Gold Prescription Program Manual**

The Division of Senior Benefits and Utilization Management in the Senior Services Branch of the Department of Health and Senior Services is proposing to amend the Pharmaceutical Assistance to the Aged and Disabled (PAAD) Eligibility Manual at N.J.A.C. 8:83-2.1 and 6.9; and the Senior Gold Prescription Program (Senior Gold) Manual at N.J.A.C. 8:83D-2.1, 5.6, 6.9, and 6.11. The notice of proposal appears in the February 21, 2006 issue of the New Jersey Register.

PAAD provides prescription discounts to certain elderly and disabled New Jersey residents. Senior Gold assists New Jersey residents who have significant needs for prescription drugs and/or other pharmaceutical supplies and are unable to meet fully the costs of such items, but whose level of income disqualifies them for benefits under PAAD.

In 2004, the Department adopted amendments to the PAAD Eligibility Manual to enable the Department to coordinate the benefits provided under PAAD with benefits available under the Medicare Prescription Drug Program. The Department is proposing similar amendments to the Senior Gold Manual at N.J.A.C. 8:83D-2.1, 5.6, and 6.11 that likewise would enable the Department to coordinate the benefits provided under Senior Gold with benefits available under the Medicare Prescription Drug Program.

The Department proposes to add the following definitions to the Senior Gold Manual: "authorized representative," "Centers for Medicare and Medicaid Services" or "CMS," "Medicare-approved prescription drug discount card program" and "Medicare Prescription Drug Program." The term "authorized representative" would track the language defining that term in the Medicare Prescription Drug Program regulations, except to the extent that the Federal language enables an "authorized representative" to make healthcare decisions on behalf of the represented person, as the Department only intends to take responsibility for negotiating with the Federal government the coordination of represented persons' benefits. The term "Medicare-approved prescription drug discount card program," would mean a prescription drug discount card program as to which the sponsor thereof has received Medicare approval and has entered into a contract with CMS.

Consistent with the 2004 amendments to the PAAD Eligibility Manual, the Department proposes to amend the Senior Gold Manual to specify that necessary evidentiary documents that applicants and beneficiaries are responsible to submit in support of an application for Senior Gold benefits include copies of third party health insurance cards and Medicare prescription benefits coverage cards, to the extent applicable.

Also consistent with the 2004 amendments to the PAAD Eligibility Manual, the Department proposes to amend the Senior Gold Manual to exempt from the requirement of a beneficiary's written authorization the disclosure of personally identifiable information pertaining to an applicant or beneficiary for the coordination of benefits under Senior Gold with benefits available under the Medicare Prescription Drug Program.

The Department proposes amendments to both the PAAD Eligibility Manual and the Senior Gold Manual to establish that in executing an application or renewal form, as applicable under the circumstances, an applicant or re-applicant for benefits under these respective programs authorizes the Department to serve as the "authorized representative" of the executing person.

The Department proposes to amend the definition of CMS in the PAAD Eligibility Manual to delete reference to the former name of CMS, HCFA.

The public has until April 22, 2006 to comment on the proposal. Persons wishing to comment on the proposal must submit their comments in writing to Kathleen Mason, Acting Deputy Commissioner, Senior Services Branch, Department of Health and Senior Services, P O Box 715, Trenton, NJ 08625-0715. Written comments on the proposal must be postmarked on or before April 22, 2006, which is the close of the 60-day public comment period.

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NOTE: Additional rule information is available on the department's web site at <http://www.state.nj.us/health/rules/other.shtml>.